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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,381	01/11/2002	Hiroyuki Nishida	Q68032	5497

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EXAMINER

WEEKS, GLORIA R

ART UNIT	PAPER NUMBER
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3721

DATE MAILED: 03/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/042,381

Applicant(s)

NISHIDA, HIROYUKI

Examiner

Gloria R Weeks

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-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☒ Interview Summary (PTO-413) Paper No(s). 9.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) ☐ Other:

Response to Amendment

1. This action is in response to Applicants' amendment received on December 4, 2003.

4. The indicated allowability of claims 3-16 is withdrawn in view of the newly discovered reference(s) to Morimoto et al. (USPN 6,612,100) and Loree et al. (USPN 5,878,554). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-10, 13, 14, 16 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Morimoto et al. (USPN 6,612,100).

In reference to claims 1-10, 13, 14, 16 and 17, Morimoto et al. discloses a sheet package producing system comprising: supply means (rollers shown in figure 2) for feeding a continuous sheet (102); cutting/stacking means (104, 400A, 400B) including decurling means (suction apertures); covered sheet stack producing means (200, 300); packaging means (700, 800) including a bag packaging means (700) for packaging the covered stacks, and a box packaging means (800) for packaging the bagged and covered stacks; a pallet (855) for supporting the sheet stacks (W); wherein the protective cover (12) includes transversely extending bending lines (figure 1), for defining first, second and third portions each to be positioned on a face portion of the stacked sheets (F); a pre-bending means (200) and wherein the covered sheet stack producing means (200, 300)

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includes: first handling means (474), a second handling means (466) and folding means (492; column 15, lines 55-61).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morimoto et al. (USPN 6,612,100) in view of Honneger (USPN 5,733,099).

Regarding claims 11 and 12, Morimoto discloses a handling system for conveying the stacks to a means for protecting the stacks with a cover, but does not disclose this means including a rotating chuck means. Honneger teaches a system of stacking and covering sheets including a sheet chuck means (46), moving robot arms (100, 178) and rotating means (50) for the purpose of turning over the stacked sheets. It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the sheet handling means of Morimoto et al. to include the sheet chuck means of Honneger for the purpose of transferring the stacked sheets to the cover sheet packaging means.

6. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morimoto et al. (USPN 6,612,100) in view of Loree et al. (USPN 5,878,554).

With respect to claim 15, Morimoto et al. discloses a packaging system for wrapping the covered stacks in a bag, followed by boxing the bagged stacks on a pallet,

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but does not disclose forming the boxes in which the bagged stacks are wrapped. Loree et al. teaches a system of stacking sheets (20) and packaging, placing covers (18) over the stacks, bagging (72) the covered stacks, and boxing (78) the bagged stacks, including means for bending and forming the boxes and means for inserting the bagged stacks into the boxes. It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the system of Morimoto et al. to include the box forming means of Loree et al. for the purpose of reducing labor costs associated with packaging the bagged stacks for distribution (Loree et al.-column 2, lines 49-51).

Response to Arguments

7. Applicant's arguments, see pages 8-10, filed December 4, 2003, with respect to the rejection(s) of claim(s) 1, 2 and 17 under 35 U.S.C. 102(b) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Morimoto et al. (USPN 6,612,100) and Loree et al. (USPN 5,878,554), therefore, the finality of that action is withdrawn.

Conclusion

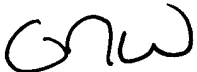
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to attachment for notice of references cited and recommended for consideration based on their disclosure of limitations of the claimed invention.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gloria R Weeks whose telephone number is (703) 605-4211. The examiner can normally be reached on 7:30 am - 6:00 pm Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi I Rada can be reached on (703) 305-2187. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-1789.


grw
March 1, 2004

Gloria R Weeks
Examiner
Art Unit 3721


Rinaldi I. Rada
Supervisory Patent Examiner
Group 3700